

SENATE CHAMBER,
AUSTIN, TEXAS, January 30, 1873. }

Senate met pursuant to adjournment; roll called, quorum present. Prayer by the chaplain.

Journal of yesterday read and adopted.

Senator Shelley presented the petition of sundry citizens of Erath and other counties, asking amendment of the laws enacted for the protection of the interest of stock owners. Read and referred to Committee on Stock and Stock Raising.

Senator Dohoney presented memorial of M. H. Ragsdale, presenting private land claim of the heirs of James Keller. Read and referred to Committee on Private Land Claims.

The following message was received from the Governor:

EXECUTIVE OFFICE, STATE OF TEXAS, }
AUSTIN, January 28, 1873. }

To the Honorable Senate of the State of Texas:

GENTLEMEN: I have to request of your honorable body to withdraw the name of J. S. West, sent you for confirmation as notary public of Colorado county, on the twenty-third instant.

Respectfully,

EDMUND J. DAVIS, Governor.

On motion of Senator Fountain, the request of the Governor was granted.

Also the following message from the Governor was read:

EXECUTIVE OFFICE, STATE OF TEXAS, }
AUSTIN, January 28, 1873. }

To the Honorable Senate and House of Representatives of the State of Texas:

GENTLEMEN: I have the honor to inform you that the following named bill has been received by me and approved, to-wit: An act entitled "An act making an appropriation for the mileage and *per diem* pay of the members and the *per diem* pay of the officers and employés of the Thirteenth Legislature," approved January 27, 1873.

Respectfully,

EDMUND J. DAVIS, Governor.

Senator Dohoney presented the memorial of E. H. Cush-

ing, remonstrating against requiring firemen to perform jury service. Read and referred to Judiciary Committee No. 1.

Senator Sayers, chairman of Committee on Engrossed Bills, made the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Engrossed Bills have examined the following bills, and find the same correctly engrossed:

Senate bill No. 5, "An act for the relief of the heirs and assigns of Haynes Crabtree, deceased."

Senate bill No. 40, "An act to renew and continue in force an act entitled an act to charter the Nacogdoches University, approved February 3, 1845."

Senate bill No. 37, "An act to create the county of Rockwall."

J. D. SAYERS, Chairman.

Senator Word, chairman of Committee on State Affairs, made the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on State Affairs, to whom was referred a bill entitled "An act to amend an act entitled an act to incorporate the city of Tyler, and to provide for the administration of its municipal affairs, approved April 26, 1871," have had the same under consideration, and instruct me to report the same without amendment, and recommend that the same do pass.

All of which is respectfully submitted.

T. J. WORD, Chairman.

Senator Dohoney, chairman of Committee on Education, made the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Education having had under consideration Senate bill No. 17, an act entitled, "An act to incorporate the Rusk Masonic Institute, located at Rusk, Texas," beg leave to report the same back to the Senate, and respectfully recommend its passage.

E. L. DOHONEY, Chairman.

Senator Henry, chairman of Judiciary Committee No. 1, made the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Judiciary No. 1, to whom was referred Senate bill No. 35, entitled "An act to provide for the execution of deeds of conveyance to purchasers

of lands at tax sales in certain cases," having had the same under consideration, instruct me to report back the accompanying bill as a substitute therefor, and recommend its passage.

JOHN L. HENRY, Chairman.

A message from the House was received, informing the Senate of the passage of Senate bill No. 1, "An act to repeal an act entitled an act to provide for the appointment by the Governor of certain officers to fill vacancies, approved January 28, 1870."

Senator Broughton offered the following resolution, which was read and adopted:

WHEREAS, In consequence of the accumulation of business before the Senate, it makes it almost impossible to keep a ready reference and record book of bills, resolutions, etc., without the assistance of a calendar clerk; therefore be it

Resolved, That the Senate proceed at once to an election to fill said office.

Senator Pyle nominated Henry Mordecai.

Senator Swift nominated Nice Raime.

Senators Swift, Flanagan and Evans were appointed tellers.

On motion of Senator Ruby the pages were instructed to receive the ballots of Senators at their desks.

First ballot—Mordecai, 17; Raime, 13. Mr. Mordecai having received a majority was declared duly elected calendar clerk.

Senator Sayers introduced a bill for the relief of John H. Jenkins. Read first time and referred to Committee on Private Land Claims.

Senator Ruby introduced a bill entitled "An act supplemental and amendatory to an act entitled an act to incorporate the Galveston Medical College Hospital, approved May 31, 1871." Read first time and referred to Judiciary Committee No. 2.

Senator Ball introduced a joint resolution requiring Jacob Kuechler, Commissioner of the General Land Office, to cause to be published certain land certificates found in the office when he took possession of the same. Read first time; rules suspended and the resolution read second time and ordered engrossed.

On motion of Senator Ruby, the rules were further suspended, the resolution read third time and passed.

Senator Dohoney introduced a bill entitled "An act to carry into effect the provision of the Constitution in reference to the probate duties of district clerks." Read first time and referred to Judiciary Committee No. 1.

Senator Finlay in the chair.

Senator Franks introduced a bill for the relief of sureties on official bonds. Read first time and referred to Judiciary Committee No. 2.

Senator Fountain introduced a concurrent resolution as follows:

Resolved by the Senate, the House concurring, That J. C. De Gress, Superintendent of Public Instruction, be permitted to appear in person, or by counsel, before the joint committee of the Senate and House now investigating his official conduct, and that he be authorized to have witnesses summoned before said committee; and that the sessions of said committee be public.

The resolution was read and adopted by the following vote:

Yeas—Senators Avinger, Baker, Ball, Broughton, Cole, Dillard, Dohoney, Evans, Ford, Finlay, Flanagan, Fountain, Franks, Gaines, Hall, Henry, King, Latimer, Pyle, Rawson, Randle, Ruby, Saylor, Sayers, Shelley, Swift, Tendick, Tracy, Word and Mr. President—30.

A message was received from the House, announcing the passage by the House of Senate bill No. 2, "An act to repeal an act entitled an act to provide for the enrollment of the militia, the organization and discipline of the State guards, and for the public defense, approved June 24, 1870."

Senator King introduced a bill entitled "An act to incorporate the San Saba Irrigating and Manufacturing Company." Read first time and referred to Judiciary Committee No. 1.

Senator Ball introduced the following resolution, which was read and adopted:

Resolved by the Senate, the House concurring, That the committees of the Senate and House on General Land Office be consolidated and act in conjunction as a joint committee.

On motion of Senator Rawson the Senate adjourned to 10 o'clock A. M. to-morrow.